

Claims Commissioner appointed to assess damage

High court says the retired judge can conduct proceedings, including recording of statements, through videoconferencing

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The High Court of Karnataka on Friday appointed H.S. Kempanna, a retired judge of the high court as Claims Commissioner to assess the damages caused to public and private properties during the August 11 violence at D.J. Halli and K.G. Halli localities, and to investigate the liabilities.

The Claims Commissioner, the court said, in view of COVID-19 pandemic, can conduct the proceedings, including recording of statements through videoconferencing facility by following the rules notified by the high court.

The court also directed the government to give wide publicity and to issue public notices, after seeking approval of the Claims Commissioner, asking the people to



Some of the vehicles that were set on fire at D.J. Halli on August 11. —SUDHAKARA JAIN

submit details and documents with regard to the damage caused to their properties.

A Division Bench comprising Chief Justice Abhay Shreenivas Oka and Justice Ashok S Kinagi passed the or-

der while hearing three petitions, one filed by the State government, and two other PIL petitions.

D.J. HALLI & K.G. HALLI VIOLENCE

In all the petitions, one of the pleas made was for appointing a Claims Commissioner under the Supreme Court's provisions for assessing damages caused to public and private properties and to grant compensation to the victims as per the apex court's guidelines.

The Bench also directed the government to issue public notices asking the public to submit to the Claims Commissioner, the video and other recordings related to damages caused to the properties. The police and other authorities of the government too will have to submit video recordings of damages caused to public and private properties.

While directing the government to provide all necessary infrastructure and

staff to the Claims Commissioner, the Bench asked the government to appoint valuers to assess the damages as per the decision of the Claims Commissioner.

Intimation to Centre

While clarifying that it is not considering the merits of allegations made in the First Information Reports (FIRs) at this stage, the Bench directed the State government to inform whether invoking the provisions of the Unlawful Activities (Prevention) Act was intimated to the Central government as per Section 6 of the National Investigation Agency Act 2008.

Earlier, Advocate-General Prabhuling K. Navadgi told the Bench that provisions of the UAPA Act have been invoked in two FIRs and these

cases are transferred to Central Crime Branch for investigation. The A-G also said State government would file objection to the PIL petition seeking transfer of probe to the NIA while asserting that the government is committed to conduct probe in a fair and transparent manner.

One of the petitioners N.P. Amruthesh, has alleged that Pulakeshinagar MLA Sanda Srinivasa Murthy whose house has been damaged in the violence, has been visiting the police station and the office of Commissioner of Police. Such interference by the MLA could not be allowed.

The transfer of probe to independent agency is essential in this case as a large number of police are victims in the violence, it was argued on behalf of another petitioner.